

UNITED STATES DISTRICT COURT
for the

Eastern District of Michigan

United States of America

v.

Sean Jenkins Jr.

Case No.

Case: 2:24-mj-30012
Assigned To : Unassigned
Assign. Date : 1/16/2024
Description: RE: SEALED
MATTER
(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 26, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(o)	Illegal possession of a machine gun
26 U.S.C § 5861(d)	Possession of a firearm not registered in the National Firearms Registration

This criminal complaint is based on these facts:

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: January 16, 2024

City and state: Detroit, MI


Complainant's signature

Kenton Weston, Special Agent ATF
Printed name and title


Judge's signature

Hon. David R. Grand, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kenton Weston, being first duly sworn, hereby state:

INTRODUCTION

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), assigned to the Detroit Field Division since January 2018. I graduated from the ATF Privately Made Firearm (PMF) and Machine Gun Conversion (MCD) Train the Trainer Course, Criminal Investigator Training Program, and the ATF Special Agent Basic Training Program. During my employment with ATF, I have conducted and/or participated in over a hundred criminal investigations focused on firearms, drug trafficking violations, and criminal street gangs in the Eastern District of Michigan, which have resulted in the seizure of illicit controlled substances, hundreds of firearms, and more than one hundred and fifty arrests.

2. This affidavit is made in support of an application for a criminal complaint for Sean Christopher JENKINS (XX/XX/1994).

3. I have probable cause to believe that JENKINS knowingly possessed a non-registered NFA firearm with an installed machine gun conversion device in violation of 18 U.S.C. § 922(o) (illegal possession of a machine gun) and 26 U.S.C. § 5861(d) (possession of a firearm not registered in the National Firearms Registration).

4. I make this affidavit based on my participation in this investigation,

reports from other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

5. The information in this affidavit is for the limited purpose of establishing probable cause and does not contain all details or all facts relating to this investigation.

PROBABLE CAUSE

6. On December 26, 2023, employees of the Enterprise Rent-A-Car in Dearborn, Michigan contacted the Dearborn Police Department after discovering a handgun in the center console of a rental vehicle.

7. Dearborn Police officers responded to the Enterprise and took custody of the firearm—a Glock model 17, 9mm pistol, bearing serial number “BTYT564.” The handgun was equipped with an aftermarket gold barrel, installed vertical foregrip (Image 1), a machine gun conversion device (“MCD”) (Image 2). Officers also took custody of two extended magazines and a standard magazine, loaded with live ammunition, also found in the rental vehicle.

Image 1



Image 2



8. Enterprise cleaning staff reported finding the handgun and loaded magazines in the center console of a blue 2022 Nissan Sentra SV with an Indiana license plate ending in “ACP” shortly after it was returned. The Nissan Sentra was last rented by Sean Christopher JENKINS. JENKINS rented the vehicle on December 23, 2023, returned the vehicle on December 26, 2023, and paid with a credit card in JENKINS’ name.

9. Approximately 20 minutes after law enforcement left Enterprise Rent-A-Car, JENKINS returned to the location and asked staff about an item that he left in the Nissan. Staff told JENKINS that the firearm was with law enforcement, and he would have to retrieve his property from the police department. JENKINS replied, “I don’t have paperwork for it” and left.

10. Enterprise's security cameras recorded JENKINS renting the Nissan Sentra on December 23, 2023 (Image 3) and returning the vehicle on December 26, 2023 (Image 4). I compared those still shot images with a Michigan Secretary of State image of JENKINS (Image 5). Based on the height, weight, skin tone, facial hair, facial structure, and him identifying himself as JENKINS twice, I believe that JENKINS was the last operator of the Nissan and was the last person to possess the recovered firearm.

Image 3



Image 4



Image 5



11. I reviewed ATF eTrace reports pertaining to JENKINS. On December 06, 2021, JENKINS completed an ATF form 4473 for the Glock model 17 9mm pistol bearing serial number "BTYT564," indicating that he is the original purchaser of the recovered firearm. JENKINS purchased the firearm from a Federal Firearm Licensee (FFL) located in the Eastern District of Michigan. A

search of the Law Enforcement Information Network (LEIN) revealed, JENKINS has no registered firearms with the State of Michigan.

12. I examined the recovered Glock model 17, 9mm pistol. The pistol had a sear adhered to the back plate of the slide (Image 2 above). Based on my training and experience in the investigation and prosecution of dozens of individuals who were in the possession or trafficking MCDs in the Eastern District of Michigan, I know an individual can affix an MCD to a Glock-style pistol to make the pistol shoot automatically and function as a machinegun. The MCD is a small illicit device that utilizes the back plate of the slide on a Glock-style pistol. When installed, the device applies pressure to the trigger bar and disables the firearm's ability to limit one round of ammunition to be fired per trigger pull. A machinegun is a firearm under the National Firearms Act (NFA), 26 U.S.C. § 5845(a) and is defined, in pertinent part, as "any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun." 26 U.S.C. § 5845(b). An MCD is a part, or combination of parts, designed and intended for use in converting a semiautomatic Glock-style pistol into a machinegun; therefore, it by itself, is a "machinegun."

13. Based on my training on MCDs and experience in previous MCD investigations and seizures, I know that the MCD attached to the recovered Glock

model 17, 9mm pistol is known as a “invisa-switch”, “chip”, and or a “switch” or “Glock Switch.”

14. Special Agent Kara Klupacs conducted a function check of the recovered firearm and noted the firearm functioned as a machine gun. Additionally, Special Agent Klupacs and I observed that the recovered Glock pistol has an installed vertical fore grip affixed to the frame. In this configuration, this firearm, must be registered because such a firearm constitutes as a “any other weapon” (AOW) as defined in the National Firearms Act (NFA) at 26 U.S.C. § 5845(e). To lawfully add a vertical fore grip to a handgun, a person must submit an ATF Form 1, Application to Make and Register a Firearm along with a fingerprint card bearing the applicant’s fingerprints, a photograph, and \$200 making tax. An applicant’s ATF Form 1 will be approved if the applicant is not prohibited from possessing a firearm under federal, state, or local law, and the applicant’s possession of AOW is not prohibited in the applicant’s state of residence. An applicant may only add a vertical fore grip to the handgun designated on his/her Form 1 only after the applicant’s Form 1 is approved by ATF failing to do these steps is a violation.

15. ATF Industry Operations Investigator Gary Gray conducted a search of ATF Firearms Licensing System (FLS) which maintains all records of NFA weapons (AOW, MCDs, machine guns, etc.) legally documented with the ATF.

JENKINS has no registered or recognized licenses to possess, manufacture, and/or sell these types of firearms. JENKINS is not authorized to possess NFA weapons which include machine guns, MCDs, and AOWs.

CONCLUSION

16. There is probable cause to believe that on December 26, 2023, within the Eastern District of Michigan, Sean JENKINS, knowingly possessed a firearm equipped with a machine gun conversion device, that was in violation of 18 U.S.C. § 922(o) (illegal possession of a machine gun) and 26 U.S.C § 5861(d) (to receive or possess a firearm which is not registered in the National Firearms Registration).

Respectfully submitted,



Kenton Weston, Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means



Hon. David R. Grand
United States Magistrate Judge

Dated: January 16, 2024